



Attorney
Docket No. LD125b

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 1624
Examiner: B. Coleman
Applicant: Gregory D. Vite et al.
Serial No. 09/084,542
Filed: May 26, 1998
For: Epothilone Derivatives

Princeton, New Jersey 08543-4000
April 5, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION REQUESTING WITHDRAWAL OF HOLDING OF ABANDONMENT*

This is in response to the Notice of Abandonment dated March 29, 2000 received in connection with the above-captioned application. The Notice indicates that the present case is abandoned in view of "Applicant's failure to respond to the Office letter, mailed 6/23/99".

Applicants respectfully request the withdrawal of the holding of abandonment on the basis that they did not receive the aforementioned Office Action. In accordance with 1156 OG 53 ("Withdrawing the Holding of Abandonment When Office Actions Are Not Received"):

- (1) the undersigned hereby states that the Office Action was not received by applicants, the undersigned, or applicants' assignee;
- (2) the undersigned hereby attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received; and
- (3) a copy of the docket records¹ where the non-received Office Action would have been entered had it been received and docketed are attached hereto.

In view of the above, applicants respectfully request reconsideration and withdrawal of the holding of abandonment, that the present case be returned to pending status,

*** CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

4/5/00
Joan E. Switzer

Joan E. Switzer
Date

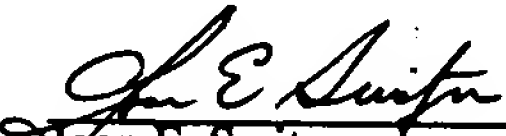
¹ The docket records attached show the docket as of July 7, 1999 through December 20, 1999, covering the period of time from the mailing date of the Office Action (June 23, 1999) to six months thereafter when the response would have been due (December 23, 1999).

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DEPUTY A/C PATENT'S

and that they be mailed an Office Action so that they may respond and have this case considered for allowance.

If there is any fee due in connection with the filing of this Petition, please charge such fee to Deposit Account No. 19-3880. If there is any extension of time required not already petitioned for, such extension is hereby petitioned for.

Respectfully submitted,


Joan E. Switzer
Registration No. 34,740
Telephone: (609) 252-4741

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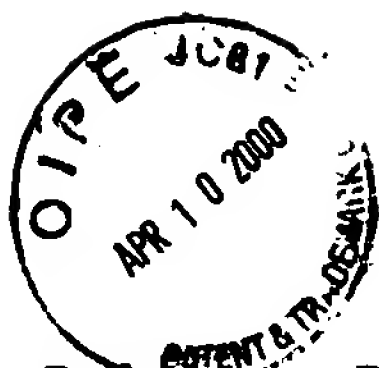
LAWRENCEVILLE DOCKET SHEET
AMENDMENTS
 (as of July 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June 1 3 22 24 25 29 29 30		GY51a	LD45b		HA689b HX90a HX92a HX91a	UP1002c ER37
July 2 2 5 23	HA710b HX96 HA714b					TN2 LD111a
August 10 10 19	HA716 HX55b		CT2262g			
Sept. 16 18 21	LA23				HA648a	LD128a
Oct. 1	LA19b					
Nov.						
Dec.						



LAWRENCEVILLE DOCKET SHEET
Final Rejection/Notice of Appeal
(as of July 7, 1999)

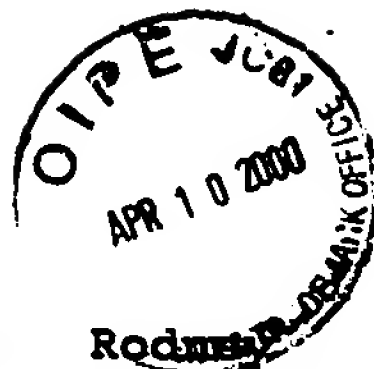
MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June						
July 12						LD86b F.R.
August						
Sept. 8 28	HA693a F.R.					LD137a N.O.A.
Oct.						
Nov.						
Dec.						



LAWRENCEVILLE DOCKET SHEET
AMENDMENTS

(as of August 2, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June 24 25		GY51a	LD45b		HX96a/30	
July 2 5	HA710b					PNZ
August 10 10 19	HA716 HX55b		CT2262g GY303/30	LD151b/17		
Sept. 16 18 21	LA23				HA706a/20 HA648a HA714a/19 AP	LD128a
Oct. 1 12	LA19b HX79e	HA705a/4 HA704a/11				
Nov.	HX93a/12		LD115a/18			ER39/6 LD111a/18
Dec.						



LAWRENCEVILLE DOCKET SHEET
Final Rejection/Notice of Appeal
 (as of August 2, 1999)

MONTH	Rodman	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999						
Feb.						
March						
April						
May						
June						
July						
August						
Sept. 8 28	HA693a F.R.					LD137a N.O.A.
Oct. 14 26	HA692a F.R.					TN1 F.R.
Nov.					HA699a/3 HA6896/11	
Dec.						



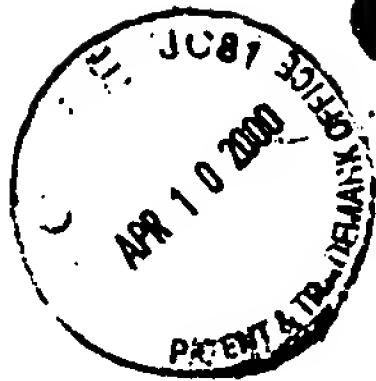
LAWRENCEVILLE DOCKET SHEET
AMENDMENTS
(as of September 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan.		HA718a/20				
Feb.	HA655/4 HX96/5					LD145b/10
March		GY52a STX/7				TN1a/6
April						
May						
June		GY51a	LD45b (3A30 9/1 2/24)			
July						
August						
10	HA716					
10	HX55b					
19			GT2262g GY30g/30			
Sept.						
16						LD128a
20					HA706a	
21	LA23 (2/24)					
Oct.						
1	LA19b					
12	HX79e					
30			GY30g			
Nov.						
6	LA23/19	RON				ER39
12	4x93a/12				HX53a	LD111A
18	HA72a/8		LD115a		H1706a/29	
Dec.	HA714/8 LA23/6 HA72a/20				HA702a/24	LD123A/14 ER39/14 LD126b/29

HA72a/16

LAWRENCEVILLE DOCKET SHEET
Final Rejection/Notice of Appeal
(as of September 7, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
1999						
Jan. 1999	HX 11/12	27512/20			HX 91a/21	TN 2/22
Feb.						
March						
April						
May						
June						
July						
August						
Sept. 8 28	HA699a F.R.					LD137a N.O.A.
Oct. 14 26	HA692a F.R.					TN1 F.R.
Nov. 3 11					HA699a F.R. HA689b F.R.	
Dec.					HX 90a/14 F.R.	



LAWRENCEVILLE DOCKET SHEET
AMENDMENTS
 (as of December 20, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	^{Babcock} Marenberg
2000						
Jan. 20		HA718a	LD55b/15	LD140A/21		
Feb. 4 5 10	HA697b HX96					LD145b
March 6 7		GY52a				TN1a LD124A/22
April	HA721a/3					
May						
June						
July						
August 1999						
Sept.						
Oct.						
Nov. 12 28					HA93a HA706a	
Dec. 14 24 29					HA702a	LD123a LD126b

LAWRENCEVILLE DOCKET SHEET
Final Rejection/Notice of Appeal
 (as of December 20, 1999)

MONTH	Rodney	Davis	Babajko	Switzer	Hermenau	Marenberg
2000						
Jan.						
14	HX55b F.R.					
21					HX91a F.R.	
22						TN2 F.R.
26		GY51a F.R.				
Feb.						
March						
20			LD111a F.R.			
April						
May						
June						
July						
August						
Sept.						
Oct.						
Nov.						
Dec.						